

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**VONNIE K. AGNER, and wife,
JUNE AGNER, et al.,**

Plaintiffs,

Vs.

Civil No. 3:98CV220

**DANIEL INTERNATIONAL
CORPORATION, f/k/a Daniel
Construction Company, et al.,

Defendants.**

**ROBERT F. BOST, and wife
MILDRED S. BOST, et al.,**

Plaintiffs,

Vs.

Civil No. 3:98CV138

**DANIEL INTERNATIONAL
CORPORATION, f/k/a Daniel
Construction Company, et al.,

Defendants.**

AMENDED FINAL PRETRIAL ORDER

THESE MATTERS are before the Court on a proposed amended final pretrial order agreed to and jointly submitted by counsel herein.

Based upon the terms of the proposed order,

IT IS, THEREFORE, ORDERED that the cases of **Irvin Gobble, and Albert Tittle, and wife Mary M. Tittle**, are scheduled for trial during the **August 20-31, 2007, term.**

IT IS FURTHER ORDERED that the following deadlines apply to these cases scheduled for trial in August 2007:

1. Depositions of the Plaintiffs must be completed on or before **May 22, 2007;**
2. Plaintiffs shall provide the Defendants with any updating medical review on or before **May 22, 2007;**
3. All prior radiology and pathology shall be shared with the Defendants on or before **May 22, 2007.** Within 45 days from production of such medical information and no later than 15 days before trial, the Defendants shall return all radiology produced to the Plaintiffs' counsel;

4. Any new radiology must be produced digitally, if available;
5. On or before **May 22, 2007**, the Plaintiffs shall execute authorizations for the blanket release of medical records to defense counsel;
6. Reports for retained experts are due from the Plaintiffs no later than **June 22, 2007**, and from the Defendants no later than **July 13, 2007**;
7. Plaintiffs shall identify any product identification or co-worker witnesses no later than **June 22, 2007**;
8. Discovery shall be completed no later than **July 13, 2007**; expert discovery shall be completed no later than **July 20, 2007**;
9. All motions except motions *in limine* shall be filed no later than **July 20, 2007**.

IT IS FURTHER ORDERED that the following cases are scheduled for trial during the **October 22 through November 1, 2007, term**:

**Arnold Crook, and wife Aulena Crook
Cornelius Hargrove, and wife Ellen W. Hargrove
J. Frances Holt, and wife Almeader S. Holt
Norman Holt, and wife, Betty L. Holt
Jimmie L. Kitchen
Donald Lindsay
James A. Redmond and wife, Annie B. Redmond
Jerry L. Reid, and wife Wanda L. Reid
James Sloan, and wife Willie M. Sloan
John H. Smith, and wife Vernie Smith**

IT IS FURTHER ORDERED that the following deadlines apply to the cases scheduled for trial in October/November 2007:

1. Depositions of the Plaintiffs must be completed on or before **July 24, 2007**;
2. Plaintiffs shall provide the Defendants with any updating medical review on or before **July 24, 2007**;
3. All prior radiology and pathology shall be shared with the Defendants on or before **July 24, 2007**. Within 45 days from production of such medical information and no later than 15 days before trial, the Defendants shall return all radiology produced to the Plaintiffs' counsel;
4. Any new radiology must be produced digitally, if available;
5. On or before **July 24, 2007**, the Plaintiffs shall execute authorizations for the blanket release of medical records to defense counsel;
6. Reports for retained experts are due from the Plaintiffs no later than **August 22, 2007**, and from the Defendants no later than **September 21, 2007**;
7. Plaintiffs shall identify any product identification or co-worker witnesses no later than **August 22, 2007**;

8. Discovery shall be completed no later than **September 21, 2007**;
expert discovery shall be completed no later than **September 21, 2007**;
9. All motions except motions *in limine* shall be filed no later than **September 21, 2007**.

The parties are directed to consult with the other pretrial orders entered herein for matters not specifically addressed by this Order.

Signed: July 2, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

